

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:08-CR-268 CAS
)	
)	
FREDNANDUS MCINTOSH,)	
)	
Defendant.)	

ORDER

This matter is before the Court on various pretrial matters. Pursuant to 28 U.S.C. § 636(b), this Court referred all pretrial matters to United States Magistrate Judge Mary Ann L. Medler. On July 14, 2008, Judge Medler filed a Report and Recommendation of United States Magistrate Judge which recommended that defendant's Motions to Suppress Evidence, Supplemental Motion to Suppress Evidence and Statements, and Motion for Production and Inspection of Grand Jury Transcripts or Reports be denied.

Defendant McIntosh filed objections to the Magistrate Judge's Report and Recommendation on July 29, 2008. Defendant did not object to the Magistrate Judge's recommendation that defendant's motion for production and inspection of grand jury transcripts and reports be denied, but objected to the remainder of the Report and Recommendation as being "against the weight of the evidence and against the existing law." Defendant argues that the affidavit in support of the search warrant failed to establish probable cause, and the search warrant was improperly executed. Defendant's objections reiterate the grounds for suppression asserted in his various pretrial motions.

Defendant did not assert any specific objections to the Magistrate Judge's Report and Recommendation.

The Court has carefully and independently reviewed the full record, and has listened to the recording of the evidentiary hearing held in this matter on June 26, 2008. The Court agrees with the Magistrate Judge's finding that there was probable cause to issue the search warrant based on the information in the affidavit, and the warrant was not vague or overbroad. The Court further agrees that the seizing officers properly executed the search warrant. The Court is in full agreement with the stated rationale of the Magistrate Judge's recommendations, and will adopt the same.

Accordingly, after a de novo review,

IT IS HEREBY ORDERED that the objections of defendant are overruled. [Doc. 34]

IT IS FURTHER ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 27]

IT IS FURTHER ORDERED that defendant's Motions to Suppress Evidence, Supplemental Motion to Suppress Evidence and Statements, and Motion for Disclosure of Grand Jury Minutes Suppress Evidence and Statements are **DENIED**. [Docs. 14, 17, 18, and 24]

A handwritten signature in black ink, appearing to read "Charles A. Shaw", written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 30th day of July, 2008.